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Dong-Hyun Chang

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EXAMINER

CHOI, MICHAEL P

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/743,378	Applicant(s) CHANG, DONG-HYUN	
	Examiner Michael P. Choi	Art Unit 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Claims 1, 4, 9, 12-15 and 20 have been currently amended
2. Applicant's arguments filed 10/23/07 have been fully considered but they are not persuasive.

As per remarks on pages 8 and 9, applicant argues that Rodriguez fails to anticipate a compression select unit, specifically that reduces the data amount according to a compressibility set by the compression select unit using at least one of frame reduction, format conversion, and resolution reduction. In response, Rodriguez teaches a compression select unit that reduces the data amount according to a compressibility set by the compression select unit using at least one of frame reduction, format conversion, and resolution reduction (in at least Paragraph [0055] – format conversion to digital).

As per remarks on pages 9 and 10, applicant argues that Rodriguez does not disclose at least a control selection unit that generates a control signal that causes at least one of a frame setting unit, a format conversion unit, and a scaler to be enabled by controlling a data conversion unit.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a control selection unit that generates a control signal) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's arguments, claims 2-11 and 13-22 inherit the rejections as such of claims 1 and 12 respectively. Therefore, the arguments have been fully considered and the rejections are maintained.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recite the limitations "the video signal" and "the audio signal". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 10-12, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Rodriguez (US 2004/0008790 A1).

**Regarding Claims 1 and 12,** Rodriguez teaches an apparatus for recording multimedia data comprising:

- a receiving unit for receiving a compressed multimedia signal (Fig. 2, 242 – communication interface; Paragraph [0039]);
- a decoder unit for decoding the multimedia signal into a data stream having a predetermined format (Fig. 2, 216 – analog video decoder);
- a data compression unit for reducing a data amount of the data stream by a certain amount and encoding a reduced data stream (Fig. 2, 212 – down-converter);

- a compression select unit for setting a compressibility of the data compression unit,
- wherein the data compression unit reduces the data amount according to a compressibility set by the compression select unit using at least one of frame reduction, format conversion, and resolution reduction (in at least Paragraph [0055] – format conversion to digital).

**Regarding Claims 10 and 21**, Rodriguez teaches the apparatus of claim 1 and 12 respectively, wherein the predetermined format is selected from the group consisting of MPEG-1, MPEG-2, MPEG-3, and MPEG-4 (Paragraph [0037]).

**Regarding Claims 11 and 22**, Rodriguez teaches the apparatus of claim 1 and 12 respectively, wherein the receiving unit receives a multimedia signal compressed with any one of the compression formats selected from the group consisting of MPEG-1, MPEG-2, MPEG-3, and MPEG-4 (Paragraph [0037]).

#### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-5, 7-9 and 13-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez (US 2004/0008790 A1).

**Regarding Claims 2 and 13**, Rodriguez teaches the apparatus of claim 1 and 12 respectively, wherein the decoder unit comprises: a demodulator for removing a carrier wave from the multimedia

signal (Fig. 2, 215; Paragraph [0049] – precluding irrelevant or undesired packets); a demultiplexer for decoding the multimedia signal into a video signal and an audio signal after the carrier wave is removed from the multimedia signal (Fig. 2, 215; Paragraph [0042]); and a decoder for decompressing the video signal and the audio signal (Fig. 2, 216; Paragraph [0042]).

Rodriguez discloses the claimed invention as a demodulating system and a transport demultiplexing and parsing system (referred to as demultiplexing system) as a separate component other than a decoder unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the decoder along with the signal processing system encompassing the demultiplexer and demodulator systems, since it has been held that making previously separate components integral into one unit without producing any new and unexpected result involves only routine skill in the art. See *In re Larson*, 340 F.2d 965, 968; 144 USPQ 347, 349 (CCPA 1965).

**Regarding Claims 3 and 14**, Rodriguez teaches the apparatus of claim 2 and 13 respectively, further comprising a format setting unit for setting the format of the video signal and the audio signal from the demultiplexer to one of PES in a packet unit (Paragraph [0056] – output packetized elementary stream inside a transport stream) and TS in a pack unit (Paragraph [0047] – output as a transport stream).

**Regarding Claims 4 and 15**, Rodriguez teaches the apparatus of claim 1 and 12 respectively, wherein the data compression unit comprises: a data conversion unit for reducing a portion of the data of a decompressed video signal and audio signal according to the compressibility set by the compression select unit (Fig. 2, 212 – down-converter; Paragraphs [0043-0045]); and an encoder unit for recompressing video data and audio data after a portion of the data is reduced by a data conversion unit (Fig. 2, 226 – digital encoder; Paragraph [0048]).

Rodriguez discloses the claimed invention as a compression and decompression engine, which are connected by a bus in order to have an encoder unit for decompression after being reduced. It would

have been obvious to one having ordinary skill in the art at the time the invention was made to combine the compression and decompression engines, since it has been held that making previously separate components integral into one unit without producing any new and unexpected result involves only routine skill in the art. See *In re Larson*, 340 F.2d 965, 968; 144 USPQ 347, 349 (CCPA 1965).

**Regarding Claims 5 and 16**, Rodriguez teaches the apparatus of claim 4 and 15 respectively, wherein the data conversion unit comprises:

- a memory for storing the decompressed data from the decoder in a frame unit (Fig. 2, 273 – storage device);
- a frame setting unit, enabled by the compression select unit, for removing frames of the data stored on the memory and re-storing (Paragraph [0061] – multiple simultaneous data transfer operations) the data in the memory (Paragraph [0063] – eliminating frames); and
- an encoder for compressing the data stream re-stored (Paragraph [0061] – multiple simultaneous data transfer operations) in the memory (Fig. 2, 226 – digital encoder).

**Regarding Claims 7 and 18**, Rodriguez teaches the apparatus of claim 5 and 16 respectively, further comprising a format conversion unit, enabled by the compression select unit, for converting the signal format of the video signal held in the memory to 4:2:0 format and re-storing the data in the memory (Paragraphs [0043-0045]).

**Regarding Claims 8 and 19**, Rodriguez teaches the apparatus of claim 7 and 18 respectively, further comprising a scaler, enabled by the compression select unit, for reducing the resolution of the video signal stored in a frame unit on the memory to a certain resolution and re-storing the data in the memory (Paragraphs [0043-0045] – scaling functionality maintained in memory; Paragraphs [0067,0097,0123]).

**Regarding Claims 9 and 20**, Rodriguez teaches the apparatus of claim 8 and 19 respectively, wherein the compression select unit generates a first control signal that causes the video signal and the audio signal to be outputted (Fig. 2, 212 – down-converter signals along bus, 205; Paragraph [0042]) to any one of the decoder (Fig. 2, 226) and the storage unit (Fig. 2, 273) by controlling the demultiplexer (Fig. 2, 215; Paragraph [0047]), and a second control signal that causes at least one of the frame setting unit, the format conversion unit and the scaler to be enabled by controlling the data conversion unit (Paragraphs [0043,0067,0097,0123] – compression engine and down-converter employing filters controlling scaling).

9. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez (US 2004/0008790 A1) in view of Matsunaga et al. (US 20020176503 A1).

**Regarding Claims 6 and 17**, Rodriguez teaches the apparatus of claim 5 and 16 respectively, wherein the frame setting unit removes frames but fails to explicitly teach even-numbered frames. Matsunaga teaches the frame setting unit removes even-numbered frames (Paragraph [0062]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine a frame eliminating element to removed even numbered frames for frame removal processing in order to convert to a lower frame rate (Paragraph [0062]).

#### **Conclusion**

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date



of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Choi whose telephone number is (571) 272-9594. The examiner can normally be reached on Monday - Friday 8:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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